THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.24676 OF 2007.

Date: 24.12.2007.

Between:

Gubbala Srinivas, S/o.Veerababu,

...Petitioner.

AND

The Superintendent of Police,
Kakinada, East Godavari District
and two others.

.....Respondents.

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.24676 OF 2007.

ORDER:

In this Writ Petition, the petitioner seeks to declare, by way of *Mandamus,* the action of respondents in opening rowdy sheet against him and continuing the same as illegal and arbitrary.

The petitioner was one of the accused in Crime No.60 of 2000, on the file of Razole Police Station, East Godavari District. With reference to the said crime and allegation of his involvement, he was tried in C.C.No.518 of 2000, on the file of the Additional Judicial Magistrate of First Class, Razole. When the said proceedings were pending,

a rowdy sheet was opened against the petitioner in exercise of the powers under Standing Order 742 of the A.P. Police Standing Orders.

It is stated by the learned Counsel for the petitioner that with reference to the charge in Crime No.60 of 2000, which was tried in C.C.No.518 of 2000, he was acquitted by the competent criminal Court on 02.04.20002, and in spite of the fact that no further cases were registered against the petitioner, the said rowdy sheet opened against the petitioner is being continued indefinitely, without reviewing the same.

Opening of rowdy sheets is governed by situations as contemplated in Standing Order 742 of the A.P. Police Standing Orders. This Court in ***Baber Siddiqui v. Commissioner of Police, Hyderabad*** [1], held that rowdy sheets, once opened,

cannot be continued mechanically and it is obligatory on the part of the respondents to review the same taking into account the involvement of the petitioner in further cases and registration of new cases etc. Though counter affidavit is not filed, on instructions, it is submitted by the learned Government Pleader that the proposals for dropping the name of the petitioner and closing the rowdy sheet opened against the petitioner is under active consideration. It is not disputed that no cases are registered recently against the petitioner.

In view of the above said aspect, I dispose of the Writ Petition directing the respondents to take appropriate steps for reviewing the rowdy sheet opened against the petitioner and pass appropriate orders and communicate the same to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

Subject to above order, the Writ Petition is disposed of. No order as to costs.

_____

R.SUBHASH REDDY, J.

Date: 24.12.2007.

Note: Issue C.C. in two days.

(B/o)

GS

---

[1] 2000(3) ALT 300